

[*Lau v. Tennessee Valley Authority*](#), 88-ERA-12 (Dep. Sec'y Feb. 6, 1991)

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U.S. DEPARTMENT OF LABOR

DEPUTY SECRETARY OF LABOR
WASHINGTON, D.C.

DATE: February 6, 1991
CASE NOS. 88-ERA-12
88-ERA-20
88-ERA-13

IN THE MATTER OF

L. WANG LAU,
COMPLAINANT,

v.

TENNESSEE VALLEY AUTHORITY,
RESPONDENT,

ROBERT F. CHRISTIE
COMPLAINANT,

v.

TENNESSEE VALLEY AUTHORITY,
RESPONDENT.

BEFORE: THE ACTING SECRETARY OF LABOR ¹

FINAL ORDER APPROVING SETTLEMENT AGREEMENT

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These consolidated cases, arising under the employee protection provision of the Energy Reorganization Act of 1974, as amended (ERA), 42 U.S.C. § 5851 (1982), are before me pursuant to the [Recommended] Order of Dismissal issued by Administrative Law Judge (ALJ) Richard E. Huddleston on May 23, 1988.

Because the settlement referenced in the ALJ's recommended order was never made a part of the record, *see Fuchko and Yunker v. George Power Co.*, Case Nos. 89-ERA-9, 89-ERA-10, Sec. Order, March 23, 1989, slip op. at 1-2, I issued an Order to Submit Settlement Agreement in this case on December 13, 1990. Counsel for Complainants and counsel for Respondent have complied with my order by submitting for the record copies of the Settlement Agreement dated May 10, 1988, and signed by Complainants individually and by counsel for Complainants and counsel for Respondent.

I note that the Settlement Agreement appears to encompass the settlement of matters arising under various laws, only one of which is the ERA. *See, e.g.*, Settlement Agreement at 1 and 5. For the reasons set forth in *Poulos v. Ambassador Fuel Oil Co., Inc.*, Case No. 86-CAA-1, Sec. order, November 2, 1987, slip op. at 2, I have limited my review of the agreement to determining whether its terms are a fair, adequate and reasonable settlement of complainants' allegations that Respondent violated the ERA.

The Settlement Agreement has been carefully reviewed and I find its terms to be fair, adequate and reasonable. Accordingly, the agreement is approved and I adopt the ALJ's recommendation that this case be DISMISSED with prejudice.

SO ORDERED.

Acting Secretary of Labor

Washington, D.C.

[ENDNOTES]

¹ There is presently a vacancy in the Office of Secretary of Labor. The Deputy Secretary is authorized to "perform the duties of the Secretary until a successor is appointed. . . ." 29 U.S.C. § 552 (1988).